State of South Dakota

400E0315   **HOUSE JUDICIARY COMMITTEE ENGROSSED NO.**
HB 1032 - 01/16/2001

Introduced by: The Committee on Judiciary at the request of the South Dakota
Commission on Child Support

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to child support.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 25-7-6.2 be amended to read as follows:

4 25-7-6.2. The child support obligation shall be established in accordance with the ~~combined~~

5 ~~monthly net income of both parents as provided in the~~ following schedule subject to such

6 revisions or deviations as may be permitted pursuant to §§ 25-7-6.1 to ~~25-7-6.17~~ 25-7-6.18,

7 inclusive. Except as provided in this chapter, the combined monthly net incomes of both parents

8 shall be used in determining the obligation and divided proportionately between the parents based

9 upon their respective net incomes. The noncustodial parent's proportionate share establishes the

10 amount of the child support order.

11 If the obligation using only the noncustodial parent's monthly net income is an obligation

12 within the emboldened areas of the schedule, that amount shall be compared to the noncustodial

13 parent's proportionate share using both parents' monthly net incomes. The lesser amount

14 establishes the noncustodial parent's child support order.

450 copies of this document were printed by the South Dakota
Legislative Research Council at a cost of $.021 per page.

V

Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.

	Combined Net Monthly Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
1	Combined						
2	Net						
3	Monthly	One	Two	Three	Four	Five	Six
4	Income	Child	Children	Children	Children	Children	Children
5	0-1,000	50	50	50	50	50	50
6	1,050	74	75	76	77	78	78
7	1,100	119	121	122	123	125	126
8	1,150	164	166	168	170	172	173
9	1,200	209	212	214	216	219	221
10	1,250	254	257	260	263	266	268
11	1,300	299	303	306	309	313	316
12	1,350	322	348	352	356	360	363
13	1,400	333	394	398	402	407	411
14	1,450	344	439	444	449	454	458
15	1,500	355	485	490	495	501	506
16	1,550	366	530	536	542	548	553
17	1,600	378	547	582	588	595	601
18	1,650	389	563	628	635	642	648
19	1,700	400	579	674	681	689	696
20	1,750	411	595	701	728	736	743
21	1,800	422	611	719	774	783	791
22	1,850	434	627	737	815	830	838
23	1,900	443	641	754	833	877	886
24	1,950	452	654	769	849	921	933
25	2,000	460	666	783	866	938	981
26	2,050	469	678	798	882	956	1,023
27	2,100	477	691	813	898	974	1,042
28	2,150	485	703	828	914	991	1,061

1	2,200	494	715	842	931	1,009	1,079
2	2,250	502	728	857	947	1,026	1,098
3	2,300	510	739	870	962	1,043	1,116
4	2,350	515	745	878	970	1,051	1,125
5	2,400	520	752	885	978	1,060	1,134
6	2,450	524	758	892	986	1,068	1,143
7	2,500	529	765	899	993	1,077	1,152
8	2,550	534	771	906	1,001	1,085	1,161
9	2,600	538	778	913	1,009	1,094	1,171
10	2,650	543	784	921	1,017	1,103	1,180
11	2,700	548	791	928	1,025	1,111	1,189
12	2,750	555	800	938	1,037	1,124	1,203
13	2,800	562	810	950	1,050	1,138	1,217
14	2,850	569	820	961	1,062	1,151	1,232
15	2,900	576	830	973	1,075	1,165	1,247
16	2,950	583	840	984	1,088	1,179	1,262
17	3,000	590	850	996	1,100	1,193	1,276
18	3,050	598	860	1,007	1,113	1,207	1,291
19	3,100	605	870	1,019	1,126	1,220	1,306
20	3,150	611	880	1,030	1,138	1,234	1,320
21	3,200	618	889	1,041	1,150	1,247	1,334
22	3,250	624	898	1,052	1,163	1,260	1,348
23	3,300	630	907	1,063	1,175	1,273	1,363
24	3,350	637	917	1,074	1,187	1,287	1,377
25	3,400	643	926	1,085	1,199	1,300	1,391
26	3,450	649	935	1,096	1,211	1,313	1,405
27	3,500	656	944	1,107	1,233	1,326	1,419
28	3,550	662	954	1,118	1,236	1,340	1,433
29	3,600	670	965	1,131	1,249	1,354	1,449

1	3,650	677	975	1,143	1,263	1,369	1,465
2	3,700	685	986	1,155	1,276	1,384	1,480
3	3,750	692	997	1,167	1,290	1,398	1,496
4	3,800	700	1,007	1,180	1,303	1,413	1,512
5	3,850	707	1,018	1,192	1,317	1,428	1,527
6	3,900	715	1,028	1,204	1,330	1,442	1,543
7	3,950	723	1,039	1,216	1,344	1,457	1,559
8	4,000	729	1,049	1,227	1,356	1,470	1,573
9	4,050	736	1,058	1,238	1,369	1,483	1,587
10	4,100	742	1,067	1,249	1,381	1,497	1,601
11	4,150	749	1,077	1,261	1,393	1,510	1,616
12	4,200	755	1,086	1,272	1,405	1,523	1,630
13	4,250	762	1,096	1,283	1,417	1,536	1,644
14	4,300	768	1,105	1,294	1,429	1,549	1,658
15	4,350	775	1,114	1,305	1,442	1,563	1,672
16	4,400	781	1,124	1,316	1,454	1,576	1,686
17	4,450	788	1,133	1,327	1,466	1,589	1,700
18	4,500	794	1,143	1,338	1,478	1,602	1,714
19	4,550	801	1,152	1,349	1,490	1,615	1,729
20	4,600	807	1,161	1,359	1,502	1,628	1,742
21	4,600	812	1,168	1,368	1,512	1,639	1,754
22	4,700	817	1,176	1,377	1,522	1,650	1,765
23	4,750	822	1,183	1,386	1,532	1,661	1,777
24	4,800	826	1,190	1,396	1,542	1,672	1,789
25	4,850	831	1,198	1,405	1,552	1,683	1,800
26	4,900	836	1,205	1,414	1,562	1,694	1,812
27	4,950	841	1,213	1,423	1,572	1,705	1,824
28	5,000	846	1,220	1,432	1,583	1,716	1,836
29	5,050	851	1,228	1,441	1,593	1,727	1,847

1	5,100	856	1,235	1,451	1,603	1,737	1,859
2	5,150	861	1,243	1,460	1,613	1,748	1,871
3	5,200	866	1,250	1,469	1,623	1,759	1,883
4	5,250	871	1,257	1,478	1,633	1,770	1,894
5	5,300	876	1,265	1,487	1,643	1,781	1,906
6	5,350	880	1,272	1,496	1,653	1,792	1,918
7	5,400	885	1,280	1,505	1,663	1,803	1,929
8	5,450	891	1,288	1,516	1,675	1,816	1,943
9	5,500	898	1,298	1,527	1,687	1,829	1,957
10	5,550	904	1,307	1,538	1,699	1,842	1,971
11	5,600	911	1,316	1,549	1,711	1,855	1,985
12	5,650	917	1,326	1,560	1,723	1,868	1,999
13	5,700	923	1,335	1,571	1,735	1,881	2,013
14	5,750	930	1,344	1,582	1,748	1,894	2,027
15	5,800	936	1,353	1,592	1,760	1,907	2,041
16	5,850	943	1,363	1,603	1,772	1,921	2,055
17	5,900	949	1,372	1,614	1,784	1,934	2,069
18	5,950	955	1,381	1,625	1,796	1,947	2,083
19	6,000	962	1,390	1,636	1,808	1,960	2,097
20	6,050	968	1,400	1,647	1,820	1,973	2,111
21	6,100	975	1,409	1,658	1,832	1,986	2,125
22	6,150	981	1,418	1,669	1,844	1,999	2,139
23	6,200	987	1,427	1,680	1,856	2,012	2,153
24	6,250	994	1,437	1,691	1,869	2,026	2,167
25	6,300	1,000	1,446	1,702	1,881	2,039	2,181
26	6,350	1,007	1,455	1,713	1,893	2,052	2,195
27	6,400	1,013	1,465	1,724	1,905	2,065	2,209
28	6,450	1,019	1,474	1,735	1,917	2,078	2,223
29	6,500	1,026	1,483	1,746	1,929	2,091	2,238

1	6,550	1,032	1,492	1,757	1,941	2,104	2,252
2	6,600	1,039	1,502	1,768	1,953	2,117	2,266
3	6,650	1,045	1,511	1,779	1,965	2,130	2,280
4	6,700	1,051	1,520	1,790	1,977	2,144	2,294
5	6,750	1,058	1,529	1,801	1,990	2,157	2,308
6	6,800	1,064	1,539	1,811	2,002	2,170	2,322
7	6,850	1,071	1,548	1,822	2,014	2,183	2,336
8	6,900	1,077	1,557	1,833	2,026	2,196	2,350
9	6,950	1,083	1,567	1,844	2,038	2,209	2,364
10	7,000	1,090	1,576	1,855	2,050	2,222	2,378
11	7,050	1,096	1,585	1,866	2,062	2,235	2,392
12	7,100	1,102	1,594	1,877	2,074	2,248	2,405
13	7,150	1,108	1,602	1,886	2,084	2,259	2,417
14	7,200	1,113	1,610	1,895	2,094	2,270	2,429
15	7,250	1,118	1,617	1,904	2,104	2,281	2,441
16	7,300	1,124	1,625	1,914	2,115	2,292	2,453
17	7,350	1,129	1,633	1,923	2,125	2,303	2,465
18	7,400	1,135	1,641	1,932	2,135	2,315	2,477
19	7,450	1,140	1,649	1,942	2,146	2,326	2,489
20	7,500	1,145	1,657	1,951	2,156	2,337	2,500
21	7,550	1,151	1,664	1,960	2,166	2,348	2,512
22	7,600	1,156	1,672	1,970	2,176	2,359	2,524
23	7,650	1,161	1,680	1,979	2,187	2,370	2,536
24	7,700	1,167	1,688	1,988	2,197	2,381	2,548
25	7,750	1,172	1,696	1,997	2,207	2,393	2,560
26	7,800	1,178	1,704	2,007	2,217	2,404	2,572
27	7,850	1,183	1,712	2,016	2,228	2,415	2,584
28	7,900	1,188	1,719	2,025	2,238	2,426	2,596
29	7,950	1,194	1,727	2,035	2,248	2,437	2,608

1	8,000	1,199	1,735	2,044	2,258	2,448	2,620
2	8,050	1,205	1,743	2,053	2,269	2,459	2,632
3	8,100	1,210	1,751	2,62	2,279	2,471	2,643
4	8,150	1,215	1,759	2,072	2,289	2,482	2,655
5	8,200	1,221	1,767	2,081	2,300	2,493	2,667
6	8,250	1,226	1,774	2,090	2,310	2,504	2,679
7	8,300	1,231	1,782	2,100	2,320	2,515	2,691
8	8,350	1,237	1,790	2,109	2,330	2,526	2,703
9	8,400	1,242	1,798	2,118	2,341	2,537	2,715
10	8,450	1,248	1,806	2,128	2,351	2,548	2,727
11	8,500	1,253	1,814	2,137	2,361	2,560	2,739
12	8,550	1,258	1,821	2,146	2,371	2,571	2,751
13	8,600	1,264	1,829	2,155	2,382	2,582	2,763
14	8,650	1,269	2,837	2,165	2,392	2,593	2,775
15	8,700	1,275	1,845	2,174	2,402	2,604	2,786
16	8,750	1,280	1,853	2,183	2,413	2,615	2,798
17	8,800	1,285	1,861	2,193	2,423	2,626	2,810
18	8,850	1,291	1,869	2,202	2,433	2,638	2,822
19	8,900	1,296	1,876	2,211	2,443	2,649	2,834
20	8,950	1,301	1,884	2,221	2,454	2,660	2,846
21	9,000	1,307	1,892	2,230	2,464	2,671	2,858
22	9,050	1,312	1,900	2,239	2,474	2,682	2,870
23	9,100	1,318	1,908	2,248	2,484	2,693	2,882
24	9,150	1,323	1,916	2,258	2,495	2,704	2,894
25	9,200	1,328	1,924	2,267	2,505	2,715	2,906
26	9,250	1,334	1,931	2,276	2,515	2,727	2,918
27	9,300	1,339	1,939	2,286	2,526	2,738	2,929
28	9,350	1,345	1,947	2,295	2,536	2,749	2,941
29	9,400	1,350	1,955	2,304	2,546	2,760	2,953

1	~~9,450~~	~~1,355~~	~~1,963~~	~~2,313~~	~~2,556~~	~~2,771~~	~~2,965~~
2	~~9,500~~	~~1,361~~	~~1,971~~	~~2,323~~	~~2,567~~	~~2,782~~	~~2,977~~
3	~~9,550~~	~~1,366~~	~~1,978~~	~~2,332~~	~~2,577~~	~~2,793~~	~~2,989~~
4	~~9,600~~	~~1,371~~	~~1,986~~	~~2,341~~	~~2,587~~	~~2,805~~	~~3,001~~
5	~~9,650~~	~~1,377~~	~~1,994~~	~~2,351~~	~~2,597~~	~~2,816~~	~~3,013~~
6	~~9,700~~	~~1,382~~	~~2,002~~	~~2,360~~	~~2,608~~	~~2,827~~	~~3,025~~
7	~~9,750~~	~~1,388~~	~~2,010~~	~~2,369~~	~~2,618~~	~~2,838~~	~~3,037~~
8	~~9,800~~	~~1,393~~	~~2,018~~	~~2,379~~	~~2,628~~	~~2,849~~	~~3,049~~
9	~~9,850~~	~~1,398~~	~~2,026~~	~~2,388~~	~~2,638~~	~~2,860~~	~~3,060~~
10	~~9,900~~	~~1,404~~	~~2,033~~	~~2,397~~	~~2,649~~	~~2,871~~	~~3,072~~
11	~~9,950~~	~~1,409~~	~~2,041~~	~~2,406~~	~~2,659~~	~~2,883~~	~~3,084~~
12	~~10,000~~	~~1,415~~	~~2,049~~	~~2,416~~	~~2,669~~	~~2,894~~	~~3,096~~

13 ~~The child support obligation from the schedule shall be divided proportionately between the~~

14 ~~parents, based upon their respective net incomes. The share of the custodial parent is presumed~~

15 ~~to be spent directly for the benefit of the child. The share of the noncustodial parent establishes~~

16 ~~the amount of the child support order.~~

17 <u>Monthly</u>

	<u>Net Income</u>	<u>One Child</u>	<u>Two Children</u>	<u>Three Children</u>	<u>Four Children</u>	<u>Five Children</u>	<u>Six Children</u>
20	<u>0-800</u>	**<u>100</u>**	**<u>150</u>**	**<u>180</u>**	**<u>200</u>**	**<u>220</u>**	**<u>240</u>**
21	<u>850</u>	**<u>125</u>**	**<u>175</u>**	**<u>205</u>**	**<u>225</u>**	**<u>245</u>**	**<u>265</u>**
22	<u>900</u>	**<u>150</u>**	**<u>200</u>**	**<u>230</u>**	**<u>250</u>**	**<u>270</u>**	**<u>290</u>**
23	<u>950</u>	**<u>175</u>**	**<u>225</u>**	**<u>255</u>**	**<u>275</u>**	**<u>295</u>**	**<u>315</u>**
24	<u>1,000</u>	**<u>200</u>**	**<u>250</u>**	**<u>280</u>**	**<u>300</u>**	**<u>320</u>**	**<u>340</u>**
25	<u>1,050</u>	**<u>225</u>**	**<u>275</u>**	**<u>305</u>**	**<u>325</u>**	**<u>345</u>**	**<u>365</u>**
26	<u>1,100</u>	**<u>250</u>**	**<u>300</u>**	**<u>330</u>**	**<u>350</u>**	**<u>370</u>**	**<u>390</u>**
27	<u>1,150</u>	**<u>275</u>**	**<u>325</u>**	**<u>355</u>**	**<u>375</u>**	**<u>395</u>**	**<u>415</u>**

1	1,200	291	**350**	**380**	**400**	**420**	**440**
2	1,250	302	**375**	**405**	**425**	**445**	**465**
3	1,300	313	**400**	**430**	**450**	**470**	**490**
4	1,350	324	**425**	**455**	**475**	**495**	**515**
5	1,400	336	**450**	**480**	**500**	**520**	**540**
6	1,450	347	**475**	**505**	**525**	**545**	**565**
7	1,500	358	**500**	**530**	**550**	**570**	**590**
8	1,550	369	**525**	**555**	**575**	**595**	**615**
9	1,600	380	550	**580**	**600**	**620**	**640**
10	1,650	391	566	**605**	**625**	**645**	**665**
11	1,700	402	582	**630**	**650**	**670**	**690**
12	1,750	413	598	**655**	**675**	**695**	**715**
13	1,800	424	615	**680**	**700**	**720**	**740**
14	1,850	436	631	**705**	**725**	**745**	**765**
15	1,900	447	647	**730**	**750**	**770**	**790**
16	1,950	458	663	**755**	**775**	**795**	**815**
17	2,000	469	679	**780**	**800**	**820**	**840**
18	2,050	480	695	**805**	**825**	**845**	**865**
19	2,100	491	710	**830**	**850**	**870**	**890**
20	2,150	499	722	849	**875**	**895**	**915**
21	2,200	508	734	864	**900**	**920**	**940**
22	2,250	516	747	879	**925**	**945**	**965**
23	2,300	524	759	893	**950**	**970**	**990**
24	2,350	533	771	908	**975**	995	**1,015**
25	2,400	541	784	923	**1,000**	**1,020**	**1,040**
26	2,450	550	796	937	**1,025**	**1,045**	**1,065**
27	2,500	558	808	952	**1,050**	**1,070**	**1,090**
28	2,550	566	820	966	1,068	**1,095**	**1,115**
29	2,600	571	827	973	1,075	**1,120**	**1,140**

1	2,650	576	833	980	1,083	**1,145**	**1,165**
2	2,700	580	840	988	1,091	**1,170**	**1,190**
3	2,750	585	846	995	1,099	1,191	**1,215**
4	2,800	590	852	1,002	1,107	1,200	**1,240**
5	2,850	594	859	1,009	1,115	1,209	**1,265**
6	2,900	599	865	1,016	1,123	1,217	**1,290**
7	2,950	604	872	1,023	1,131	1,226	1,312
8	3,000	609	878	1,030	1,139	1,234	1,321
9	3,050	615	888	1,041	1,150	1,247	1,334
10	3,100	622	898	1,053	1,163	1,261	1,349
11	3,150	630	908	1,064	1,176	1,275	1,364
12	3,200	637	918	1,076	1,189	1,288	1,379
13	3,250	644	928	1,087	1,201	1,302	1,393
14	3,300	651	938	1,099	1,214	1,316	1,408
15	3,350	658	948	1,110	1,227	1,330	1,423
16	3,400	665	958	1,122	1,239	1,343	1,438
17	3,450	673	968	1,133	1,252	1,357	1,452
18	3,500	679	977	1,144	1,265	1,371	1,467
19	3,550	686	987	1,155	1,277	1,384	1,481
20	3,600	692	996	1,166	1,289	1,397	1,495
21	3,650	698	1,005	1,177	1,301	1,410	1,509
22	3,700	705	1,014	1,188	1,313	1,423	1,523
23	3,750	711	1,024	1,199	1,325	1,437	1,537
24	3,800	717	1,033	1,210	1,337	1,450	1,551
25	3,850	723	1,042	1,221	1,350	1,463	1,565
26	3,900	730	1,051	1,232	1,362	1,476	1,579
27	3,950	737	1,061	1,244	1,374	1,490	1,594
28	4,000	744	1,072	1,256	1,388	1,505	1,610
29	4,050	752	1,082	1,268	1,401	1,519	1,626

1	4,100	759	1,093	1,281	1,415	1,534	1,641
2	4,150	767	1,104	1,293	1,429	1,549	1,657
3	4,200	774	1,114	1,305	1,442	1,563	1,673
4	4,250	782	1,125	1,317	1,456	1,578	1,688
5	4,300	789	1,136	1,330	1,469	1,593	1,704
6	4,350	797	1,146	1,342	1,483	1,607	1,720
7	4,400	804	1,157	1,354	1,496	1,622	1,735
8	4,450	811	1,166	1,365	1,508	1,635	1,749
9	4,500	817	1,176	1,376	1,520	1,648	1,763
10	4,550	824	1,185	1,387	1,533	1,661	1,778
11	4,600	830	1,194	1,398	1,545	1,674	1,792
12	4,650	837	1,204	1,409	1,557	1,688	1,806
13	4,700	843	1,213	1,420	1,569	1,701	1,820
14	4,750	850	1,222	1,431	1,581	1,714	1,834
15	4,800	856	1,232	1,442	1,593	1,727	1,848
16	4,850	863	1,241	1,453	1,606	1,740	1,862
17	4,900	869	1,251	1,464	1,618	1,754	1,876
18	4,950	876	1,260	1,475	1,630	1,767	1,891
19	5,000	882	1,269	1,486	1,642	1,780	1,905
20	5,050	889	1,279	1,497	1,654	1,793	1,919
21	5,100	895	1,288	1,508	1,666	1,806	1,932
22	5,150	900	1,295	1,517	1,676	1,817	1,944
23	5,200	905	1,303	1,526	1,686	1,828	1,956
24	5,250	910	1,310	1,535	1,696	1,839	1,968
25	5,300	915	1,318	1,544	1,706	1,850	1,979
26	5,350	920	1,325	1,553	1,717	1,861	1,991
27	5,400	925	1,332	1,563	1,727	1,872	2,003
28	5,450	930	1,340	1,572	1,737	1,883	2,014
29	5,500	934	1,347	1,581	1,747	1,894	2,026

1	5,550	939	1,355	1,590	1,757	1,905	2,038
2	5,600	944	1,362	1,599	1,767	1,916	2,050
3	5,650	949	1,370	1,608	1,777	1,927	2,061
4	5,700	954	1,377	1,618	1,787	1,938	2,073
5	5,750	959	1,384	1,627	1,797	1,948	2,085
6	5,800	964	1,392	1,636	1,808	1,959	2,097
7	5,850	969	1,399	1,645	1,818	1,970	2,108
8	5,900	974	1,407	1,654	1,828	1,981	2,120
9	5,950	979	1,414	1,663	1,838	1,992	2,132
10	6,000	984	1,422	1,672	1,848	2,003	2,143
11	6,050	990	1,430	1,683	1,860	2,016	2,157
12	6,100	996	1,440	1,694	1,872	2,029	2,171
13	6,150	1,002	1,449	1,705	1,884	2,042	2,185
14	6,200	1,009	1,458	1,716	1,896	2,055	2,199
15	6,250	1,015	1,468	1,727	1,908	2,068	2,213
16	6,300	1,022	1,477	1,738	1,920	2,081	2,227
17	6,350	1,028	1,486	1,749	1,932	2,094	2,241
18	6,400	1,034	1,495	1,760	1,944	2,108	2,255
19	6,450	1,041	1,505	1,770	1,956	2,121	2,269
20	6,500	1,047	1,514	1,781	1,968	2,134	2,283
21	6,550	1,054	1,523	1,792	1,981	2,147	2,297
22	6,600	1,060	1,532	1,803	1,993	2,160	2,311
23	6,650	1,066	1,542	1,814	2,005	2,173	2,325
24	6,700	1,073	1,551	1,825	2,017	2,186	2,339
25	6,750	1,079	1,560	1,836	2,029	2,199	2,353
26	6,800	1,086	1,569	1,847	2,041	2,212	2,367
27	6,850	1,092	1,579	1,858	2,053	2,226	2,381
28	6,900	1,098	1,588	1,869	2,065	2,239	2,395
29	6,950	1,105	1,597	1,880	2,077	2,252	2,410

1	7,000	1,111	1,607	1,891	2,089	2,265	2,424
2	7,050	1,118	1,616	1,902	2,102	2,278	2,438
3	7,100	1,124	1,625	1,913	2,114	2,291	2,452
4	7,150	1,130	1,634	1,924	2,126	2,304	2,466
5	7,200	1,137	1,644	1,935	2,138	2,317	2,480
6	7,250	1,143	1,653	1,946	2,150	2,331	2,494
7	7,300	1,150	1,662	1,957	2,162	2,344	2,508
8	7,350	1,156	1,671	1,968	2,174	2,357	2,522
9	7,400	1,162	1,681	1,979	2,186	2,370	2,536
10	7,450	1,169	1,690	1,989	2,198	2,383	2,550
11	7,500	1,175	1,699	2,000	2,210	2,396	2,564
12	7,550	1,182	1,709	2,011	2,223	2,409	2,578
13	7,600	1,188	1,718	2,022	2,235	2,422	2,592
14	7,650	1,194	1,727	2,033	2,247	2,435	2,606
15	7,700	1,201	1,736	2,044	2,259	2,449	2,620
16	7,750	1,207	1,746	2,055	2,271	2,462	2,634
17	7,800	1,214	1,755	2,066	2,283	2,475	2,648
18	7,850	1,220	1,764	2,077	2,295	2,488	2,662
19	7,900	1,226	1,772	2,087	2,306	2,500	2,675
20	7,950	1,231	1,780	2,096	2,316	2,511	2,687
21	8,000	1,237	1,788	2,105	2,327	2,522	2,699
22	8,050	1,242	1,796	2,115	2,337	2,533	2,710
23	8,100	1,247	1,804	2,124	2,347	2,544	2,722
24	8,150	1,253	1,812	2,133	2,357	2,555	2,734
25	8,200	1,258	1,820	2,143	2,368	2,567	2,746
26	8,250	1,263	1,827	2,152	2,378	2,578	2,758
27	8,300	1,269	1,835	2,161	2,388	2,589	2,770
28	8,350	1,274	1,843	2,171	2,398	2,600	2,782
29	8,400	1,280	1,851	2,180	2,409	2,611	2,794

1	8,450	1,285	1,859	2,189	2,419	2,622	2,806
2	8,500	1,290	1,867	2,198	2,429	2,633	2,818
3	8,550	1,296	1,874	2,208	2,440	2,644	2,830
4	8,600	1,301	1,882	2,217	2,450	2,656	2,842
5	8,650	1,307	1,890	2,226	2,460	2,667	2,853
6	8,700	1,312	1,898	2,236	2,470	2,678	2,865
7	8,750	1,317	1,906	2,245	2,481	2,689	2,877
8	8,800	1,323	1,914	2,254	2,491	2,700	2,889
9	8,850	1,328	1,922	2,263	2,501	2,711	2,901
10	8,900	1,333	1,929	2,273	2,511	2,722	2,913
11	8,950	1,339	1,937	2,282	2,522	2,734	2,925
12	9,000	1,344	1,945	2,291	2,532	2,745	2,937
13	9,050	1,350	1,953	2,301	2,542	2,756	2,949
14	9,100	1,355	1,961	2,310	2,552	2,767	2,961
15	9,150	1,360	1,969	2,319	2,563	2,778	2,973
16	9,200	1,366	1,977	2,329	2,573	2,789	2,984
17	9,250	1,371	1,984	2,338	2,583	2,800	2,996
18	9,300	1,377	1,992	2,347	2,594	2,812	3,008
19	9,350	1,382	2,000	2,356	2,604	2,823	3,020
20	9,400	1,387	2,008	2,366	2,614	2,834	3,032
21	9,450	1,393	2,016	2,375	2,624	2,845	3,044
22	9,500	1,398	2,024	2,384	2,635	2,856	3,056
23	9,550	1,403	2,031	2,394	2,645	2,867	3,068
24	9,600	1,409	2,039	2,403	2,655	2,878	3,080
25	9,650	1,414	2,047	2,412	2,665	2,889	3,092
26	9,700	1,420	2,055	2,422	2,676	2,901	3,104
27	9,750	1,425	2,063	2,431	2,686	2,912	3,116
28	9,800	1,430	2,071	2,440	2,696	2,923	3,127
29	9,850	1,436	2,079	2,449	2,707	2,934	3,139

1	9,900	1,441	2,086	2,459	2,717	2,945	3,151
2	9,950	1,447	2,094	2,468	2,727	2,956	3,163
3	10,000	1,452	2,102	2,477	2,737	2,967	3,175

4 The share of the custodial parent is presumed to be spent directly for the benefit of the child.

5 Section 2. That § 25-7-6.14 be amended to read as follows:

6 25-7-6.14. Unless As used in this section, basic visitation means a parenting plan whereby

7 one parent has physical custody and the other parent has visitation with the child of the parties.

8 In a basic visitation situation, unless the parties otherwise agree and the agreement is approved

9 by the court, the court may, if deemed appropriate under the circumstances, order an abatement

10 of not less than thirty- eight percent nor more than sixty-six percent of the child support if:

11 (1) A child spends ten or more days in a month with the obligor; and

12 (2) The number of days of visitation and the abatement, percentage or amount are

13   specified in the court order; and

14 (3) The visitation is actually exercised.

15 The court shall allow the abatement to the obligor in the month in which the visitation is

16 exercised, unless otherwise ordered. The abatement shall be pro-rated to the days of visitation.

17 It shall be presumed that the visitation is exercised. If the visitation exercised substantially

18 deviates from the visitation ordered, either party may file a petition for modification without

19 showing any other change in circumstances.

20 As used in this section, shared responsibility means a parenting plan whereby each parent

21 provides a suitable home for the child of the parties, the court order allows the child to spend at

22 least one hundred twenty days in a calendar year in each home, and the parents share the duties,

23 responsibilities, and expenses of parenting. In a shared responsibility situation, unless the parties

24 otherwise agree and the agreement is approved by the court, the court may, if deemed

1   appropriate under the circumstances, order a shared responsibility cross credit. The cross credit

2   shall be calculated by multiplying the combined child support obligation using both parents'

3   monthly net incomes by 1.5 to arrive at a shared custody child support obligation. The shared

4   custody child support obligation shall be apportioned to each parent according to his or her net

5   income. A child support obligation is computed for each parent by multiplying that parent's

6   portion of the shared custody child support obligation by the percentage of time the child spends

7   with the other parent. The respective child support obligations are offset, with the parent owing

8   more child support paying the difference between the two amounts. It shall be presumed that the

9   shared responsibility parenting plan is exercised. If the parenting plan exercised substantially

10   deviates from the parenting plan ordered, either party may file a petition for modification without

11   showing any other change in circumstances.

12   The court shall consider each case individually before granting either the basic visitation or

13   shared responsibility adjustment to insure that the adjustment does not place an undue hardship

14   on the custodial parent or have a substantial negative effect on the child's standard of living.

15   Section 3. That § 25-7-6.7 be amended to read as follows:

16   25-7-6.7. Deductions from monthly gross income shall be allowed as follows:

17   (1)   Income taxes withheld figured on the basis of two dependent exemptions for a single

18   taxpayer paid monthly rather than actual amount withheld;

19   (2)   Estimated income taxes payable, prorated monthly;

20   (3)   FICA taxes withheld from wages or salary;

21   (4)   Retirement fund amounts withheld or paid directly to an IRS qualified retirement plan,

22   in a reasonable amount, but, in all cases, limited to the amounts deductible for federal

23   income tax purposes;

24   (5)   Actual business expenses of an employee, incurred for the benefit of his employer, not

1   reimbursed;

2   (6)   Payments made on other support and maintenance orders.

3   Section 4. That chapter 25-7 be amended by adding thereto a NEW SECTION to read as

4 follows:

5   If, at any time, unpaid child support arrearages exist, the court may order the support obligor

6 to pay towards the arrearages such sums as are ordered by the court, in addition to any other

7 remedies of the support obligee.

8   Section 5. That § 25-7-6.3 be amended to read as follows:

9   25-7-6.3. The monthly net income of each parent shall be determined by his the parent's gross

10 income less allowable deductions, as set forth herein. The monthly gross income of each parent

11 includes amounts received from the following sources:

12   (1)   Compensation paid to an employee for personal services, whether salary, wages,

13   commissions, bonus, or otherwise designated;

14   (2)   Self-employment income including gain, profit, or loss from a business, farm, or

15   profession;

16   (3)   Periodic payments from pensions or retirement programs, including social security or

17   veteran's benefits, disability payments or insurance contracts;

18   (4)   Interest, dividends, rentals, royalties, or other gain derived from investment of capital

19   assets;

20   (5)   Gain or loss from the sale, trade, or conversion of capital assets;

21   (6)   Unemployment insurance benefits; and

22   (7)   Worker's compensation benefits;

23   (8)   Benefits in lieu of compensation including military pay allowances.

24   If the income of the parents is derived from seasonal employment, or received in payments

1   other than regular, recurring payments, such income shall be annualized to determine a monthly

2   average income.

3   Section 6. That § 25-5-18.1 be amended to read as follows:

4   25-5-18.1. The parents of any child are under a legal duty to support their child in

5   accordance with the provisions of § 25-7-6.1, until the child attains the age of eighteen, or until

6   the child attains the age of nineteen if ~~he~~ the child is a full-time student in a secondary school.

7   If it is determined by the court that the child support obligation survives the death of the parent,

8   the amount due may be modified, revoked, or commuted to a lump sum payment by the court,

9   taking into consideration all factors deemed relevant, including the financial resources of the

10 child and the other parent and the needs of the decedent's family.

11   Section 7. That § 25-7-6.10 be amended to read as follows:

12   25-7-6.10. Deviation from the schedule in § 25-7-6.2 shall be considered if raised by either

13 party and made only upon the entry of specific findings based upon any of the following factors:

14   (1)   The income of a subsequent spouse or contribution of a third party to the income or

15   expenses of that parent but only if the application of the schedule works a financial

16   hardship on either parent;

17   (2)   Any financial condition of either parent which would make application of the schedule

18   inequitable;

19   (3)   ~~Whether the federal income tax dependent deduction for such minor child is allocated~~

20   ~~to the benefit of the support obligor or the custodial parent~~ The federal income tax

21   consequences arising from claiming the child as a dependent;

22   (4)   Any special needs of the child;

23   (5)   ~~The effect of custody and visitation provisions including whether children share~~

24   ~~substantial amounts of time with each parent;~~

1   ——(6)   For agreements entered into prior to July 1, 1986, if it is established by clear and

2   convincing evidence, that debts or property were exchanged for child support and it

3   appears equitable to continue such arrangement;

4   (7)(6) The effect of agreements between the parents regarding extra forms of support for the

5   direct benefit of the child;

6   (8)(7) The obligation of either parent to provide for subsequent natural children or

7   stepchildren. However, an existing support order may not be modified solely for this

8   reason; or

9   (9)(8) The voluntary act of either parent which reduces that parent's income.

10   Section 8. That § 25-7-6.13 be amended to read as follows:

11   25-7-6.13. All orders for support entered and in effect prior to July 1, 1997 2001, may be

12   modified in accordance with this chapter without requiring a showing of a change in

13   circumstances from the entry of the order.